

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

ANTHONY ROSHON ROBERTS, SR.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. CIV-11-284-M
	)	
JOSEPH TAYLOR, Warden,	)	
	)	
Defendant.	)	

**ORDER**

On February 29, 2012, United States Magistrate Judge Bana Roberts issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983. The Magistrate Judge recommended that plaintiff motion for entry of default and motion to “deny” defendant’s dispositive motion be denied and defendant’s motion to dismiss be granted. The parties were advised of their right to object to the Report and Recommendation by March 20, 2012. On that date, plaintiff filed his objection.

The Court has carefully reviewed the parties’ submissions and the court file in this case. Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on February 29, 2012;
- (2) DENIES plaintiff’s motion for entry of default [docket no. 28];
- (3) DENIES plaintiff’s motion to “deny” defendant’s dispositive motion [docket no. 26];
- (4) GRANTS defendant’s motion to dismiss [docket no. 25], and
- (5) DISMISSES this action for failure to exhaust administrative remedies and failure to state a claim.

**IT IS SO ORDERED this 26th day of March, 2012.**

  
VICKI MILES-LAGRANGE  
CHIEF UNITED STATES DISTRICT JUDGE